

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
DEC 06 2007

*[Signature]*  
CLERK

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRADLEY WAYNE WAGNER,

Defendant.

CR 07-40089

ORDER

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Pending before the Court is the Defendant's Plea Agreement and Factual Basis Statement. A hearing to take the plea was held before the Magistrate Judge on November 20, 2007, and Judge Simko issued a Report and Recommendation recommending to this Court that the plea be accepted and the Defendant be adjudged guilty as charged in the Indictment with Possession of a Firearm by Prohibited Person in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). After a careful review of the file, and the time for objections having expired,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, the plea is accepted and the Defendant Bradley Wayne Wagner, is adjudged guilty.

Dated this 6<sup>th</sup> day of December, 2007.

BY THE COURT:

*[Signature]*  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY: *[Signature]*  
DEPUTY